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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/002,896	11/01/2001	Arun Ramachandran	COM-002.9D	6915

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EXAMINER

ABDI, KAMBIZ

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 12/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/002,896

Applicant(s)

RAMACHANDRAN ET AL.

Examiner

Kambiz Abdi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3 September 2002</u> . | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. Claims 1-16 have been examined and are pending.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-16 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S Patent No. 6,799,277 to David S. Colvin.

4. As per claims 1, 6, 8, 11, and 15-16, Colvin clearly teaches a process for providing information regarding all available license deals represented by data entries in a data structure maintained by a usage measuring, modeling, and searching server, comprising the steps:

A process for providing information regarding all available license deals represented by data entries in a data structure maintained by a usage measuring server, comprising the steps:

- 1) receiving a log in message including user name and password (See Colvin Abstract, figures 1-16 and column 2, line 38-column 4, line 23, column 5, line 18-column 6, line 56);
- 2) authenticating a customer's user name and password (See Colvin Abstract, figures 1-16 and column 2, line 38-column 4, line 23, column 5, line 18-column 6, line 56);
- 3) if the user is authentic, sending messages to the user's computer causing it to display an interface page which includes one or more commands that can be invoked or links that can be followed,

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one of said commands or links being a request to shop all available deals on a resource (See Colvin Abstract, figures 1-16 and column 2, line 38-column 4, line 23, column 5, line 18-column 6, line 56);

4) receiving a message from said customer that indicates said customer wishes to shop all available license deals, and responding thereto by transmitting data to said customer's computer to cause it to display a query requesting information on the resource or resources for which the customer would like to shop for licenses (See Colvin Abstract, figures 1-16 and column 2, line 38-column 4, line 23, column 5, line 18-column 6, line 56);

5) receiving a message from said customer indicating which resource(s) she wishes to shop (See Colvin Abstract, figures 1-16 and column 2, line 38-column 4, line 23, column 5, line 18-column 6, line 56);

6) locating and accessing one or more data entries which represent the selected resource or resources in a data structure of said server which said customer indicated he would like to shop for licenses (See Colvin Abstract, figures 1-16, and column 2, line 38-column 4, line 23, column 5, line 18-column 6, line 56, column 7, lines 32-65, and column 20, lines 28-65);

7) following pointers in said data structure linking said resource to all provisioning item data entries in said data structure which represent available licenses for said resource and which record the terms thereof, and checking configuration data that sets security barriers that restrict which license deals said customer is allowed to access (See Colvin Abstract, figures 1-16, and column 2, line 38-column 4, line 23, column 5, line 18-column 6, line 56, column 7, lines 32-65, and column 20, lines 28-65);

8) following pointers in said data structure linking said data entries representing resource(s) to be shopped to at least some of the provisioning item data entries in said data structure which represent available deals for said resource(s) at a particular location and which record information of interest to purchasers such as location or phone number of a location where the resource can be purchased, price, number on hand, upcoming promotions or existing promotions, etc. (See Colvin Abstract, figures 1-16, and column 2, line 38-column 4, line 23, column 5, line 18-column 6, line 56, column 7, lines 32-65, and column 20, lines 28-65);

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9) reading the license term data from all the provisioning item data entry so located to which said customer is allowed access, and sending said license term data to said customer in one or more messages (See Colvin Abstract, figures 1-16, and column 2, line 38-column 4, line 23, column 5, line 18-column 6, line 56, column 7, lines 32-65, and column 20, lines 28-65) (Colvin clearly teaches collection of multitude of data for authentication, authorization, usage determination, hardware association, user, association, as well as marketing and advertising information on distributed and registered electronic contents and software).

As per claims 2-3, Colvin clearly teaches the process of claim 1 wherein step 4 comprises transmitting data to said customer's computer which causes it to display one or more templates each of which said customer can fill in to provide information that can be used to identify a resource said customer wishes to shop (See Colvin Abstract, figures 1-16 and column 2, line 38-column 4, line 23, column 5, line 18-column 6, line 56).

5. As per claims 4-5, Colvin clearly teaches the process of following pointers in said provisioning item to all resource data entries licensed under said license and setting up a resource authorization node in said data structure for each said resource licensed under said license and setting up an associated resource authorization node and usage data buffer for each said resource authorization node (See Colvin Abstract, figures 1-16, and column 2, line 38-column 4, line 23, column 5, line 18-column 6, line 56, column 7, lines 32-65, and column 20, lines 28-65).

6. As per claims 9-10, Colvin clearly teaches the process of claim 8 wherein step 6 comprises following pointers from said data entries representing said resource(s) to be shopped to all provisioning items representing locations where said resource can be purchased, and then checking configuration data which controls which of said provisioning items to which said customer is allowed access and selecting only those provisioning items for reading of said information of interest in step 7 (See Colvin

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Abstract, figures 1-16, and column 2, line 38-column 4, line 23, column 5, line 18-column 6, line 56, column 7, lines 32-65, and column 20, lines 28-65).

7. As per claims 12-14, Colvin clearly teaches the process of following pointers from said one or more resource data entries that satisfy said search criteria to all secondary data entries representing provisioning items and/or vendors, distributors, subdistributors and/or retail outlets where said resource(s) may be purchased or licensed and checking configuration data which controls which of these secondary data entries can be accessed by said customer, and wherein step 6 additionally comprises applying any additional screening criteria only to the secondary data entries to which said customer is allowed to have access and reading at least some of said information of interest only from said secondary data entries to which said customer is allowed to have access (See Colvin Abstract, figures 1-16, and column 2, line 38-column 4, line 23, column 5, line 18-column 6, line 56, column 7, lines 32-65, and column 20, lines 28-65) (Colvin clearly teaches collection of multitude of data for authentication, authorization, usage determination, hardware association, user, association, as well as marketing and advertising information on distributed and registered electronic contents and software).

8. Examiner has pointed out particular references contained in the prior arts of record in the body of this action for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the response, to consider fully the entire references as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior arts or disclosed by the examiner.

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Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kambiz Abdi whose telephone number is (703) 305-3364. The examiner can normally be reached on 9 AM to 5:00 PM.

10. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James P Trammell can be reached on (703) 305-9768. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

11. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

**Commissioner of Patents and Trademarks
Washington, D.C. 20231**

or faxed to:

(703) 872-9306 [Official communications; including After Final communications labeled "Box AF"]

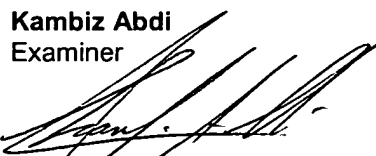
(703) 746-7749 [Informal/Draft communications, labeled "PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to:

Crystal Park 5, 2451 Crystal Drive

7th floor receptionist, Arlington, VA, 22202

Kambiz Abdi
Examiner



December 24, 2004

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